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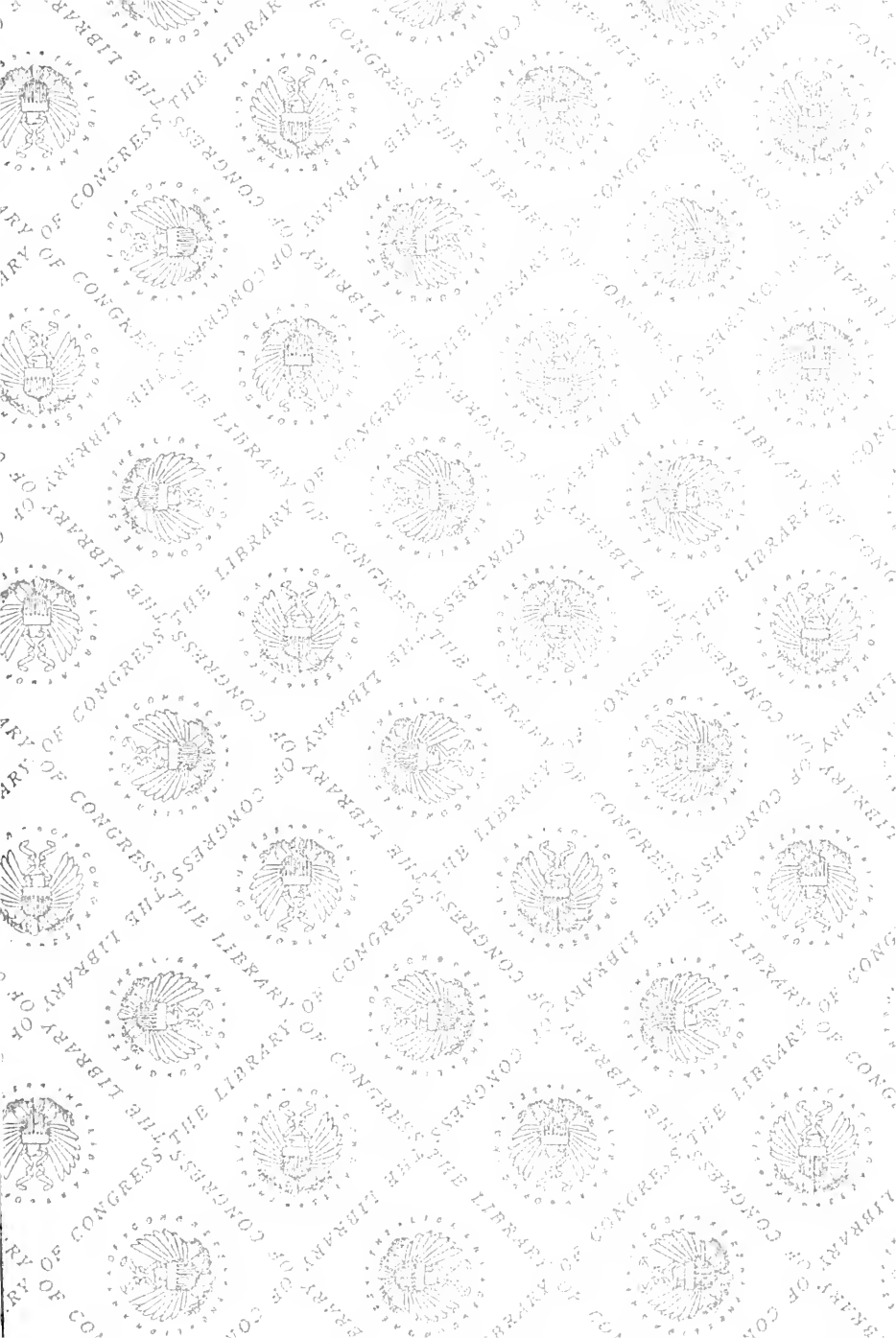
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# Southern Rights and Co-operation Documents.

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LETTER FROM

HON. T. J. WITHERS,

ADDRESSED TO THE COMMITTEE OF INVITATION OF THE CO-OPERATION MEETING, HELD AT YORKVILLE, S. C., ON THE 6TH AUG.

*Camden, 30th July, 1851.*

GENTLEMEN :—You must prevail upon the people of York District to excuse me for declining to appear and address them, as I am invited to do. While employed in the Judiciary department of their government, I am dedicated to a very exacting and delicate service, best performed by a careful abstinence from the heat of partizan bias, and thus giving earnest that I seek to maintain the equanimity which warrants a confidence, on all hands, that I am to do right to every litigant before me. This consideration has no manner of affinity to that pompous pretension that would place a Judge above the question of the day, (of the greatest gravity in my estimation,) or above the people, with whom he must face it ; all ready to do so (I hope) with courageous resolution. My notion is, that a true sense of propriety (though it reinforces a long cherished disposition) admonishes me to shun any temptation that might draw me into the vortex of popular commotion.

In addition to this, my views, upon the matter you are about to consider, have been rendered to certain gentlemen of Greenville ; and I suppose the newspaper press has made them accessible to such of my friends of York as may desire to know what they are. I yet adhere to them : and venture to say, that they ought to be received as free from guile, whether wise or not ; for (save only their unbought good opinion) what can the people now give me that I could accept ? Nothing else, I aver, do I covet, or ever did.

From the earliest budding forth of the scheme of giving to South Carolina a separate, isolated nationality, I have been an unbeliever in its wisdom and efficacy. Except two or three

(who seem not to have recruited disciples of that particular article of faith,) nobody commends this scheme of solitude as a desirable condition in itself. We are assured, however, that it must work out the result of co-operation by other States, in like condition with this, in military operations, (if the occasion should require these,) and ultimately in an organized federation; that to this attitude the issues we shall create will *force* our colleagues, by the overwhelming stimulus of interest and the burning sublimity of pride.

Gentlemen, beware of that council which teaches you to rely upon a friendship—to serve you upon the battle-field, or in council—that is procured by duress. Beware, when you perceive that those who promise it are discarding the admonitions of the very equals to whom they are intent upon applying the forcing process—that the very hope itself rests upon the Pharisæical presumption, that our colleagues, in a common cause, are now beneath or behind us in spirit, or in the knowledge of their own rights and duties. Beware of those who assure you of the cordial friendship and co-operation of neighbors, by rendering their commerce, if need be, the prey of privateers, plundering under the flag and authority of the Independent Nation of South-Carolina; of that counsel which, in one breath, lures you by the fascinations of plethoric purses, swollen by the contributions of smuggling, and in the next scouts as ignoble any regard for property or life, when the glories of martyrdom beckon on the State to an illustrious sacrifice. Too long and too often have some of our people heretofore given cause or pretext to the Southern States, or some of them, to impute to us, in matters of common concern, a temper of domineering arrogance. At this great crisis, when a mighty common interest is at stake, when the foe counts as the sands on the sea-shore, when the spirit of aggression is waxing fierce enough to admonish us all that it must be met, and can be successfully met alone by our whole power, marshalled in concerted organization, let not this small State take one doubtful step forbidden by the advice and judgment of her comrades—let her not yet assume, by word or deed, that they are craven, corrupt, or stupid; by word or deed, let her not vault into the saddle and usurp the whip.

The main purpose of this letter is to cite your attention to a domestic specimen of the *forcing process*, and its result, now in course of exhibition here at home.

When the Legislature of this State last assembled, the attention of the *people*, as a mass, had been directed alone to the

combination among the Southern States, aimed at, through the agency of a Convention at Nashville. The hope entertained from that movement was, 1st, That Congress, then engaged upon the territorial questions, might be restrained from a threatened spoliation and insult to the South, and an infringement upon our rights; or 2d, failing that, some concerted measure, looking to redress and protection, might be commended to the several States aggrieved. The scheme of unconcerted disunion by South-Carolina alone, had then entered into but few heads, though it had taken possession of some. When the Convention bill was passed, it was *assumed*, that the temper of the people was up, or could be raised, to this line of exalted intensity; not from any evidence, I apprehend, given at the polls in October, 1850, but, probably, from the testimony of newspapers and resolutions of Southern Rights Associations. The unsatisfactory lethargy thought to be discovered in the Nashville Convention—the disappointment of expectation from Georgia—the incipient movements in Mississippi, and, not least, the vehement rhetoric of debate, aggravated by a difference between the two houses, in the first instance—determined a majority of the Legislature to adopt a singular measure, which, at one and the same time, provided for a representation of this State in a Southern Congress, which was courted for concerted co-operation, and for a Convention to consider of the recommendations of such a Congress, and also—“for the further purpose of taking into consideration the *general welfare* of this State, in view of her relations to the laws and government of the United States, *and thereupon to take care that the Commonwealth of South-Carolina shall suffer no detriment.*” It was further provided, that if not called together, by the Governor, prior to the next session, in consequence of the action of a Southern Congress, “this General Assembly shall, by a majority of votes, fix the time for the meeting of the said Convention.”

Nothing on the face of this measure, fore-shadowed the isolated, separate secession of South-Carolina. Certainly some members (some of your own, it appears) voted for it with no such object in contemplation. The people had never spoken, in any intelligible and authoritative manner, on the policy of calling the Convention at all—much less on the question of what it should do.

Now we hear it affirmed, that the State is pledged to separate secession through the Convention. Where is the evidence? Have a majority of the members of that body made the pledge? I am not aware of it, nor do I believe it. Some of the wisest

among them have, I know, made no pledge at all. Whoever did make any was, in my opinion, not wise in that act—and this (very probably) is his own opinion now. Some, as I learn, thought (as matter of individual sentiment at the time) that the State ought to take final action, but reserved a free vote upon the course of policy. Some may have entered the shambles. If so, I ask with what propriety? Each political division of the State agreed, by the act calling the Convention, with every other, that it would send delegates to a Convention to do what? To vote the State out of all connexion with every other State in the Confederacy? By no means; but to consider with their compeers sent from other districts, the “general welfare of this State,” in view of federal relations, and “to take care that the Commonwealth of South-Carolina shall suffer no detriment.” Was this contract faithfully executed by that political body which pledged its delegates to vote only for separate secession? But no matter what pledges were executed or given—I again enquire, what proportion of the voters of this State have endorsed them? Nobody will deny that a meagre minority only voted at the polls, which, in many cases, was itself much divided. Did those, who remained at home, acquiesce in the doctrine of separate secession? Why, it is by no means clear that those who carried the election were in favor of that measure, or are now. A process of development is now going on which will manifest, I think, that a majority of this State are not in the position assigned to them by writers and orators on secession—that in fact they are neither for separate, isolated independence, nor for abandoning the steady purpose of working out, by adequate and practicable means, the salvation of our institutions. I remember that, pending the election in Charleston, a paper of that city accounted on Tuesday morning, for the meagre vote of Monday, by reasons of the torrents from the clouds on that day—but predicted that the bright sky of Tuesday would multiply them amply. The prediction failed. It was forthwith announced that so little division of opinion prevailed in Charleston that there was nothing to arouse the mass. How stands the matter now, in that quarter?

Certain writers and orators deprecate these developments, and charge upon such meetings as you have in view the sin of dividing this people into parties. It is my purpose to inquire, if this be an iniquity; and if so, who is responsible for it.

Surely we may affirm, that the members of the Convention are not averse to an accurate exposition of the true sentiments and wishes of the public. That, above all things, they need;



and they did not derive it from the polls, in February last, unless it be in the emptiest, most technical and uncertain sense. Who, then, complain and pray, that there be no strife, no division among us? Are they not those who contrived a Convention, after the mature wisdom of Cheves and Barnwell, had strongly admonished against it, and after it had been once defeated in the Representatives House, and who ordained the election in hot haste? Are they not those who contrived and managed a demonstration in May last, in Charleston, which was intended to supply the deficiencies of that election; to give a favorite interpretation to the rotund language of the Convention bill—to the meaning of “general welfare” and the injunction “to take care that this Commonwealth shall suffer no detriment,” to influence the action of a minority Convention in favor of a scheme heretofore hidden from the general public; to supply (it was hoped) substance—bone, muscle, arteries—to the *form* that had been presented by the election of February? Have *they not*, then, created the necessity upon those who do not concur in their commentaries upon language, in their exposition of a fact, in their plan of statesmanship or policy, either to acquiesce in all, while they do not approve or to speak out adversely?

Is it asked why you did not speak at the polls when you had the opportunity? The question can be answered, and it can be shown, I think, why a large majority did not speak at all, also why (as I strongly suspect) some of those who did, knew not what they spoke.

The election for members of the Convention was ordered to be held on the second Monday in February and day following—held on the heels of the adjournment of the Legislature. The act, ordaining it, exhibited the object in features comely enough—features that the people had been accustomed to contemplate. They showed forth a Southern Congress and Convention here to aid that body, and to take care that the Commonwealth received no detriment. If a plain man had actually read it, and if time had been given to the people to see it, or hear of it, (a people who had concurred in the objects and recommendations of the Nashville Convention,) there was no word likely to excite a suspicion that more was meant than met the eye. I doubt if it will be denied by any one who is acquainted with the evidence on the subject, that the early day of election was fixed on the following considerations: “mischief will result from delay—that is to say, from discussion before the people—postponement will allay the fervor of the public heat. Our

speeches here and the press have raised it to a white heat—let us strike while the iron is hot—let us adopt a solemn proceeding, which, under a proper management by organized societies, shall commit the State before discord shall creep in and shake his shaggy locks.”

Well, a few attended the polls. There, members of organized societies were active. The mass of the people were quiescent at home. Many were ignorant that any election was going on. None were disposed to do a single act, or say a word, that, at home or abroad, could be construed into “aid and comfort” to the enemy. The loudest clamorers against the Compromise assumed the function of special patriots; few of the rank and file dreamed of ulterior designs. The strongest words, that could be obtained, were extracted from those who were set up for candidates and wanted to be elected. The election, thus conducted, being finished, a loud shout proceeds from an unanimous and a *co-operating* press, that South-Carolina had now resolved and appointed her agents accordingly, to take that separate station, among her co States “and the rest of mankind,” to which God and nature had entitled her—that others might imitate or not, as they pleased. Even this, the great mass of the people, began to hear only when the echo was caught up and reverberated by a self-constituted Convention in Charleston.

Having resolved on no such thing, but intent only on what they had learned of the policy recommended by the Nashville Convention and in the speech there delivered by Mr. Cheves (indorsed by our own Senate,) how could it be otherwise, than that the people, when roused to look around them, when for the first time brought to a knowledge of what has been done and what is designed (all said to be ratified under their name and authority,) when facetiously told that nobody dreamed of separate secession before the Convention meets—should take the liberty of defining their own position, and declaring that they stand, as yet, where they stood before, upon the platform of the Nashville Convention? If discussion at home comes of this, and that dissension be disastrous—to whom will the disaster come? It may, to be sure, falsify the prophecies of those who never had any right to prophecy. The threats of the self-appointed may not be redeemed in the precise manner and with the vigorous rapidity so congenial to theoretical explorers in the unknown of political philosophy. But I have a calm confidence that no disaster will be worked to the great cause of Southern rights and regeneration, if our Convention should forbear secession during its term of life. The attack upon us will

be too formidable (for however cautious the leaders mean to be they can't restrain the purblind zealots in the ranks,) the means of resistance are too abundant and obvious, the issue is too momentous to lead me to believe that "a tale of submission" will ever be written of the slaveholding South. Of one thing I am more certain—it is this—to *surprise* the people into a great organic change, or a revolution, is a very paltry sort of Statesmanship. I have the authority of our own Constitution (which I esteem more highly than the figments of any man's brain) to say this.

Did any man who has read it, ever dream, that when one entire government was to be pulled down and another constructed, *our* course of proceeding should be such, as has been adopted in this case? That this rugged journey was to be performed by a single bound? It appears to me, that for a Legislature, not elected with reference to such a matter, in view of an enterprise so momentous, conceived for a purpose in which so many other States have the same concern, with a hostile force every where to be found beyond our borders, to call a Convention, order the election in some six weeks, declare the object in general and ambiguous phrase, must surprise a man who reads the eleventh article of our Constitution of 1790.

It is therein declared, that even that Constitution shall be, in no particular, altered, except by a bill read three times in each House of our Legislature, and agreed to by two-thirds of the whole representation; and which shall then be published three months previous to a new election of Representatives; and shall become a part of the Constitution, only when having been again read three times in each House, it shall be agreed to by two-thirds of the whole representation therein.

How does the hot haste of the present occasion, when the design is said to be to uproot entire fundamental structures and reconstruct others, compare with the cool deliberation secured to the people and the solemn ratification required of them, before the most inconsiderable phrase of our State Constitution can be changed?

I maintain, therefore, that the people are right to make known their opinions by way of instruction to their delegates in Convention, be those opinions what they may. If unhappy consequences result, I think I have shewn at whose door they lie.

I close here, gentlemen, because I wish to abuse your patience no longer.

Your obedient servant,

T. J. WITHERS.

To MESSRS. T. J. BELL, W. I. CLAWSON, JOHN B. JACKSON, Yorkville, S. C.

## WHAT DOES SECESSION RESIST?

The State ought to secede.

Why?

Because she has pledged herself to resist.

Resist what?

The aggressions of the Government.

What aggressions?

The admission of California with her anti-slavery constitution; the unjust territorial bills, and the law abolishing the slave trade in the district of Columbia.

Will the secession of South-Carolina change the Constitution of California?

No.

Will it place California out of the Union?

No.

Will it give us back the territories which were so unjustly taken from us?

No.

Will it repeal the anti-slave trade law for the District of Columbia?

No.

What then does it resist?

Well, I hardly know what; but then it *looks* like resistance, and to go alone, is a movement so bold and spirited!

If the government attempts to coerce us, could we fight it out alone?

Oh no, we shall have help quick enough.

Well if we go out looking for help, where is the boldness of going alone. This seems to me like going alone, and not going alone.

Oh, but we *commence* the fight alone.

True, but if we tell our neighbors beforehand, that we look to them for help when we get into a tight place, there does not seem to be much boldness in the matter. And if we go in peace, where is the boldness of the step, since it resists nothing?

But we shall at least be free then to do as we please.

Could we then, take our slaves to California, or New Mexico, or Utah?

No.

Could we take them to North-Carolina, or Georgia, or Alabama?

No.

If a Georgian or North-Carolinian, marry in South-Carolina, could the father of the bride give his daughter a negro, to take to one of those States?

No.

How then do you say, that we could do as we pleased?

Well, I don't know exactly, but still, by secession we show our resentment, and spite those freesoilers.

Would you burn down your own house to show your resentment, and spite your enemy?

I would not.

If you were half owner of a house, and the other half owner were to occupy more than his share, would you show your resentment, by giving him up the whole and building another for yourself?

No, I would not.

Then if, by secession, we give up all the territories and forts, and our interest in the navy and the public buildings, and go out alone to set up for ourselves, how do we spite the freesoilers, or how can it be called resistance. This looks to me like downright *submission*; Mississippi is for taking back the land, by settling it in defiance of the law. But we call that submission, and say, no, let us *cut loose* and leave all, that is resistance. But call it as we please, the *world* will think that Mississippi was right, and we will think so too, when the charm breaks.

Well, may be so, I confess I cannot see how it is, but my leaders say, that it is brave and heroic, and all that, and so I—go it blind.



